

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE OF PAGE 1 2	
2. AMENDMENT/MODIFICATION NO. NS40-08		3. EFFECTIVE DATE 8-6-02		4. REQUISITION/PURCHASE REQ. NO. N00039-02-PR-CBlab		5. PROJECT NO. (If applicable)	
6. ISSUED BY COMMANDER, SPACE AND NAVAL WARFARE SYSTEMS COMMAND 4301 PACIFIC HIGHWAY SAN DIEGO CA 92110-3127 CARLA J. BROWN/02-21C/619-524-7204/ BROWNCAR@SPAWAR.NAVY.MIL		CODE N00039		7. ADMINISTERED BY (If other than Item 6) DCMC BOSTON - GD 77 A ST. NEEDHAM, MA 02194-2892		CODE S2203A	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and ZIP Code) GD 77 A ST. NEEDHAM, MA 02194-2892				<input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NO. <input type="checkbox"/> 9B. DATED (SEE ITEM 11) <input checked="" type="checkbox"/> 10A. MODIFICATION OF CONTRACT/ORDER NO. N68939-97-D-0041/NS40 <input checked="" type="checkbox"/> 10B. DATED (SEE ITEM 13) 16MAY01		CODE 2D423 FACILITY CODE 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS	

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter of telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

N/A

<input checked="" type="checkbox"/>	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. (Specify authority)
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Mutual Agreement of the Parties
	D. OTHER

E. IMPORTANT: Contractor is not X is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification to order NS40 is to add lab acceptance provisions to Section E.

15A. NAME AND TITLE OF CONTRACTING OFFICER (Type or Print) CARLA J. BROWN, Contracting Officer		16A. UNITED STATES OF AMERICA		16C. DATE SIGNED 8-6-02	
15B. CONTRACT/OFFER NO. Peter Bertocci (Signature of person authorized to sign)		15C. DATE SIGNED 8/1/02		16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)	

N68939-97-D-0041

NS40-08

Page 2

1. Accordingly, the following provision is added to Section E – Inspection and Acceptance:

LAB ACCEPTANCE PROVISIONS:

Before shipment to each OCONUS site, the contractor will set-up, configure, and test the network equipment in the General Dynamics (GD) Network Integration Lab in Needham, MA. GD will test and the government will conditionally accept the network equipment at the Needham lab for shipment purposes only. Acceptance will be via a DD250 annotated with the details of the conditional acceptance. The OSP/ISP/SP equipment will also be conditionally accepted for shipment purposes only. This will allow the contractor to identify the equipment as government-owned equipment for international shipping purposes; that is, to facilitate clearance through customs. Conditional government acceptance of the network equipment only at the Needham lab will also allow the contractor to receive partial payments as detailed in the Section H clause "Partial Payments". Conditional government acceptance does not transfer responsibility nor liability from GD to the Government for the equipment during shipment to, and installation and testing of the equipment at, the OCONUS site(s). Responsibility for arranging and paying for proper shipment of the equipment, as well as risk of loss of the equipment during shipment to, and installation and testing at the Government sites, remains with GD until final government acceptance of each system element. Final government acceptance of the equipment will not occur until the contractor has successfully completed each element of the SOVT on-site and in accordance with the approved baseline SOVT procedures and paragraph 7.3.5 of the TRN.

Shipment to Diego Garcia shall be treated differently than the other OCONUS sites. As with other OCONUS sites, the contractor will set-up, configure, and test the network equipment in the General Dynamics (GD) Network Integration Lab in Needham, MA, and the government will conditionally accept the equipment at the Needham lab for shipment purposes only. However, after conditional acceptance of the equipment, the government will assume the risk of loss or damage to the equipment during shipment to Diego Garcia by military transport. Once the equipment is on the ground in Diego Garcia and accepted by GD, the risk of loss or damage to the equipment shall transfer back to GD and shall remain with GD during the installation and testing phase and up until final government acceptance of each system element. Final government acceptance of the system will occur after successful completion of the Diego Garcia SOVT.

2. Except as modified above, all other terms and conditions of this order remain unchanged and in full force and effect.